

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

PEDRO GUTIERREZ,  
Plaintiff,  
vs.  
KILOLO KIJAKAZI,  
Acting Commissioner of Social Security,  
Defendant.

) Case No.: 1:21-cv-00504-JLT-GSA  
)  
) STIPULATION FOR VOLUNTARY  
) REMAND PURSUANT TO SENTENCE  
) FOUR OF 42 U.S.C. § 405(g) AND TO  
) ENTRY OF JUDGMENT  
)  
)  
)  
)  
)

IT IS HEREBY STIPULATED by the parties, through their undersigned attorneys, and with the approval of the Court, that the Commissioner has agreed to a voluntary remand of this case for further administrative proceedings, pursuant to *sentence four* of 42 U.S.C. § 405(g).

On remand, the prior ALJ decision will be vacated, and the agency will issue a new decision. This stipulation constitutes a remand under the *fourth sentence* of Section 205(g) of the Social Security Act. 42 U.S.C. § 405(g). The parties further request that the Clerk of the Court be directed to enter a final judgment in favor of Plaintiff, and against Defendant.

Respectfully submitted,

Dated: May 2, 2022

PHILLIP A. TALBERT  
United States Attorney  
PETER THOMPSON  
Acting Regional Chief Counsel, Region IX  
Social Security Administration

By /s/ Patrick Snyder  
PATRICK SNYDER  
Special Assistant U.S. Attorney  
Attorneys for Defendant

Dated: May 2, 2022

By /s/ Jonathan Pena  
(\*as authorized via e-mail on 5/2/22)

JONATHAN PENA  
Attorney for Plaintiff

**ORDER**

Based on the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand"), and for good cause shown, IT IS ORDERED that the above captioned action is remanded to the Commissioner of Social Security for further proceedings consistent with the terms of the Stipulation to Remand.

The Clerk of the Court shall enter a final judgment in favor of Plaintiff, and against Defendant, vacating and reversing the final decision of the Commissioner.

IT IS SO ORDERED.

Dated: May 3, 2022

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE